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June 14, 2007

The Honorable Joseph J. Farnan, Jr. United States District Court 844 King Street Wilmington, DE 19801

**VIA ELECTRONIC FILING** 

Re: Power Integrations, Inc. v. Fairchild Semiconductor International, Inc., et al., C.A. No. 04-1371-JJF

## Dear Judge Farnan:

Fairchild writes to ensure that the letter Power Integrations submitted earlier today does not create any misunderstanding on the Court's part. While it is true that the depositions of Mr. Beasom and Dr. Eklund were completed last week, as was discussed in Fairchild's May 31, 2007 memorandum (DI 491), Fairchild will need to conduct follow-up investigation. Power Integrations fails to mention that Fairchild has requested forensic testing of the disputed Eklund notes and Power Integrations has refused that request. While Power Integrations may not believe further follow-up is necessary, Fairchild most certainly does. Indeed, there are multiple versions of Power Integrations' inventor notes, some showing ink on copies, but Mr. Eklund claims the originals have been lost. Fairchild's ability to proceed on the agreed-upon proposed trial dates is contingent upon its ability to conduct adequate investigation regarding the Eklund documents. Before trial, Fairchild must conduct forensic analysis and submit a report by its forensic expert, any discovery Power Integration wishes to seek in response to that report must be completed, and in all likelihood Fairchild will be forced to submit a motion in limine regarding the inventor notes and possibly a motion for summary judgment. Given the need to complete these activities, Fairchild prefers the proposed September trial dates.

Respectfully,

John G. Day

John G. Day

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c: William J. Marsden, Jr. Esquire (by hand)
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